

**Carolyn Clevenger - Kirsch: Response to ABAG/MTC Insufficient Responses**

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**From:** Susan Kirsch  
**To:** "CClevenger@mtc.ca.gov" <cclevenger@mtc.ca.gov>  
**Date:** 7/18/2013 11:13 AM  
**Subject:** Kirsch: Response to ABAG/MTC Insufficient Responses  
**CC:** "eircomments@mtc.ca.gov" <eircomments@mtc.ca.gov>, "info@OneBayArea.org"...

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To:  
Metropolitan Transportation Commission  
Plan Bay Area / Draft EIR Public Comment  
11 Eighth Street, Oakland, CA 94607

From:  
Susan Kirsch

Subject: ABAG/MTC Insufficient Response Re: EIR Concerns (Letter C152)

MTC/ABAG's responses to comments on the EIR fall tragically short of the standards citizens have reason to expect from a planning agency: 15 overlooked letters, system of responding that lacked organizational principles, making it difficult to find letters and responses; responses of complexity worse than the IRS tax code; and a general continuation of the experience of a rushed, manipulative process that might be well-intended, but is not working towards the good of the greatest number of people. With this being the case, the FEIR should be dismissed as inadequate and the Plan returned to the drawing board.

The issues raised in my letter and countless others regarding the inadequacies of the planning process, the failure to meet the stated goals of the SB375 legislation, the faulty assumptions re: jobs and housing growth, the questionable systems used to judge reduction of GHG, ABAG's own findings that the Plan will increase costs for housing and transportation for low-income residents, the increased health risks associated with high-density housing near transit, inadequate water supply, and the failure to reasonably and thoroughly address the 39 significant, unavoidable adverse environmental impacts have been raised repeatedly in other letters pointing out the insufficient responses of the EIR. I concur with the concerns raised by others in these categories.

I wish to focus on your assertion "The MTC and ABAG Board consist of elected representatives from many counties and cities of the region and their decisions reflect the decisions of these voter-selected officials."

Your assertion is misleading and is in error. In Marin, Steve Kinsey, Katie Rice, and Pat Eklund

will vote on the Plan and EIR. The Board of Supervisors selected Kinsey to be Marin's representative to MTC. The Board of Supervisors selected Rice to represent Marin on ABAG. And the Marin County Council of Mayors and Councilmembers selected Novato mayor Pat Eklund to represent them.

As a resident of Mill Valley, I have no one representing me. Supervisor districts in Marin each have about 50,000 people or 20% of the total population. Kinsey and Rice have been voted into office by just 40% of the Marin population, leaving 60% unrepresented. Eklund is elected from among the 53,000 people of Novato. That leaves the majority of us without representation on this important vote.

So while it is true, the MTC/ABAG board consists of "elected representatives from the 9 counties and 101 cities, these men and women were NOT elected by residents to represent them on MTC or ABAG. From your premise, a person elected to serve on the School Board or the local Dog-Catchers Club, by virtue of "being elected" could sit on MTC/ABAG and represent the citizens of the County.

The decisions of Kinsey, Rice, and Eklund DO NOT reflect the decisions of the people. They are not "voter-selected", but "colleague-selected", being chosen from among their peers on the Board of Supervisors or the Marin Council of Mayors and Councilmembers. They have not been voted to represent the citizens of Marin.

Your claim that "their decisions reflect the decisions of these voter-selected officials" is in error.

This failure to have directly elected representation at the MTC/ABAG table undermines democracy in three significant ways. 1) Neither Kinsey, Rice, nor Eklund have been elected to represent any specific constituency to vote on the Plan. 2) Not representing any constituency, they have no accountability for the outcomes of their decisions. 3) The Plan and vote is tightly controlled by unelected staff and special interests who have usurped decision making from the public.

To correct this error, Plan Bay Area should go back to the people by way of a vote of the General Assembly and the voice of the citizens in the 101 cities.

Thank you for your continued work to get it right.

Sincerely,  
Susan Kirsch